

U.S. Patent Application Serial No. **10/768,965**

Amendment filed May 21, 2007

Reply to OA dated December 19, 2006

REMARKS

Claims 1-30 are pending in this application, with claims 9-30 withdrawn from consideration.

The present amendment cancels claims 1, 2, 5, 7 and 8 without prejudice or disclaimer, and amends claim 3. Upon entry of this amendment, claims 3, 4, 6, and 9-30 will be pending in this application, with claims 9-30 withdrawn from consideration.

The Applicant respectfully submits that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **December 19, 2006**.

The amendment is supported by the description on page 1, line 16, through page 2, line 26; page 49, line 24, through page 53, line 9; and page 99, line 1, through page 107, line 18 of the specification.

Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. (Office action paragraph no. 7)

Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, because the specification ... does not reasonably provide enablement for "An allergen" (Office action paragraph no. 8)

Reconsideration of the rejections is respectfully requested in view of the amendments to the claims.

The Examiner indicates that "the specification fails to provide sufficient enablement for a person of skill in the art to make and use an inactivating method for any allergen" and that "the

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specification and claims offer no guidance as to what particular substance, other than dust mite extract and cedar allergens, that are inactivated by the claimed method."

However, page 17, line 16, through page 19, line 5 of the English specification describes an allergen inactivating method. In particular, page 18, lines 5-6, of the specification describe "the biologically induced allergens such as pollens are mainly composed of proteins as described above," and the type of pollen is specified. Page 18, lines 23-24, of the specification clearly describe "the pollen allergen could be inactivated by denaturation of the protein." Therefore, Applicant submits that the specification of the present application provides sufficient enablement to make and use an inactivating method for any allergen.

With regard to the Examiner's comment regarding "what particular substance, other than dust mite extract and cedar allergens," claim 3 has been amended to be limited from an allergen inactivating method to an allergen inactivating method for dust mites or pollen mainly composed of allergens. Applicant submits that the pending claims, as amended, are fully enabled by the specification.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Burks et al. (PTO-892, page 1, Reference X). (Office action paragraph no. 16)

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kang et al. (U.S. Patent No. 3,818,106). (Office action paragraph no. 17)

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Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Jost et al. (U.S. Patent No. 5,039,532). (Office action paragraph no. 17)

Reconsideration of the rejections is respectfully requested in view of the amendments to the claims.

Figueredo et al. (PTO-892, reference W) discloses that beer can be an allergen. Finley et al. (PTO-892, reference V) discloses using a protease (papain) to remove chill haze from beer. Burks et al. discloses using protease and heat to denature peanut and soybean allergen in order to reduce IgE bonding. Example VIII, for example, of Kang et al. discloses using protease bromelain for tenderization of meat before cooking. Jost et al. discloses using protease (porcine trypsin) to hydrolyze whey powder including allergen.

However, each of these references merely has fragmental disclosures regarding protease as an enzyme, but does not disclose the present invention. Unlike the present invention, the references do not disclose inactivating dust mites allergen or pollen mainly composed of protein allergens by maintaining the allergens under a condition in which an enzyme and a denaturing agent exist. The references do not disclose or suggest the special advantage of specifically and efficiently removing dust mites allergen or pollen mainly composed of protein allergens by a structure such as that of the present invention. Applicant therefore submits that the present claims are not anticipated by the cited references, and moreover, that the claims are not obvious over the references taken separately or in combination.

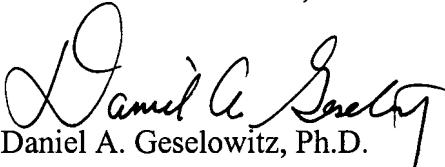
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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures:

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